

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 5, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council for its third reading the following ordinance:

AN ORDINANCE REGULATING AND FIXING FARES WHICH MAY BE CHARGED BY PERSONS, FIRMS AND CORPORATIONS OPERATING STREET RAILWAYS AND MOTOR BUSES SUPPLEMENTARY THERETO, FOR THE CARRYING OF PASSENGERS IN THE CITY OF AUSTIN, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The ordinance was read the third time and Councilman Steck moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, Councilman Mueller, 1.

Mayor McFadden laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT for sufficient reasons made known to the City Council, the penalty accrued on the taxes for the year 1928, amounting to \$8.76, on Lots 9 and 10, Block A, Outlot 30, Division "D" of the City of Austin, in the name of E.F. Smith be and the same is hereby remitted; and the City Assessor and Collector of Taxes is instructed to make correction accordingly on his books.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following report of the Safety Committee upon the application of M. H. Crockett for drive-in rights across the sidewalk on South Congress Avenue:

"Austin, Texas, July 5, 1929.

Hon. Mayor and City Council:

Gentlemen:

Whereas, M. H. Crockett has applied for drive-in rights across the city sidewalk area on South Congress Avenue in front of the store building which he is having constructed for Clarence Saunders; and

WHEREAS, on June 27, the Safety Committee presented a report to the City Council making the recommendation that the layout as suggested be refused; and

WHEREAS, since that date M. H. Crockett has presented to the Safety Committee a layout which it can recommend to the City Council, we, the Safety Committee, recommend that this permit shall be granted on Congress Avenue, subject to the following conditions:

1. That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
2. That a plan of the drive-in station hereto attached marked 2-G-129a, showing the proposed locations of driveways, curbs, sidewalk area and concrete gutter shall be followed during construction and shall be considered a part of this resolution.

3. That all adjacent walks, ramps, gutters, curbs, together with a curb inside of the property, shall be constructed of concrete and all construction shall conform to the attached plan of the station marked 2-G-129a.

6. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating drive-in commercial stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said M.H.Crockett has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

J. Bouldin Rector, City Attorney;

Tom Neal, Police Captain;

L. A. Palmer, Plumbing Inspector.

CITY SAFETY COMMITTEE. "

Mayor McFadden moved that permit be granted to said M. H. Crockett, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor announced that the hearing of abutting property owners and other interested parties with reference to the paving of San Antonio Street and South Congress Avenue, which was continued from the last regular meeting, would now be opened.

No one appearing to protest, Clyde Hailey was thereupon called as a witness and being duly sworn testified that he had resided in the City of Austin for several years; that he was well acquainted with the values of property abutting upon each of the Units or Districts as to which this hearing was being held; that he is acquainted with the type of paving which is proposed to be constructed upon said Unit or District as to which this hearing was being held; and that in his opinion each parcel of abutting property would be enhanced in value by reason of the construction of the proposed improvements in an amount in excess of the amount proposed to be assessed against the same, as set out on the Engineer's Roll on file relating to such Unit or Districts of Improvement.

The hearing was then continued until the next regular meeting.

The Mayor laid before the Council the Roll or Statement of the Consulting Engineer, H. R. F. Helland, showing the estimated cost of the improvements to be constructed on Guadalupe Street from the north property line of West Sixth Street to the south property line of West Eighth Street, known and designated as Unit or District No. 10; and Guadalupe Street from the south property line of West Eighth Street to the south property line of West Nineteenth Street, known and designated as Unit or District No. 10a, which was read and ordered filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION APPROVING AND ADOPTING
ESTIMATE OF THE COST OF IMPROVEMENTS
AND OF AMOUNTS TO BE ASSESSED FOR
IMPROVEMENTS ON A PORTION OF GUADALUPE
STREET AND PORTIONS OF SUNDRY OTHER
STREETS IN THE CITY OF AUSTIN, TEXAS,
FIXING THE TIME AND PLACE FOR HEARING
TO THE OWNERS OF ABUTTING PROPERTY, AND
DIRECTING THE CITY MANAGER TO GIVE
NOTICE.

WHEREAS, the City Council of the City of Austin has heretofore ordered that the hereinbelow mentioned portions of highways be improved by raising, grading and filling, and installing concrete curbs and gutters, and by paving with 2-inch Warrenite Bitulithic Wearing Surface on a five inch concrete base, with necessary appurtenances, and contract therefor has been made and entered into with Southwest Bitulithic Company; and

WHEREAS, the City Council has caused the Consulting Engineer to prepare and file estimates of the cost of such improvements, and estimate of the amounts per front foot proposed to be assessed against abutting property and the owners thereof, and such estimates have been examined.

THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

I. That such estimates be and they are adopted and approved.

II. That it is hereby found and determined that the cost of improvements on each such portion of highway, with the amount or amounts per front foot proposed to be assessed for such improvements against the abutting property and owners thereof, on each such portion of street or highway are as follows, to-wit:

Guadalupe Street from the north property line of West Sixth Street to the south property line of West Eighth Street, known and designated as Unit or District No. 10, estimated cost of improvements is \$9879.02. Estimated amount per front foot to be assessed for curb and gutter is \$.70 (70¢). Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$6.244. Total estimated amount per front foot to be assessed against abutting property and its owners is \$6.944.

Guadalupe Street from the south property line of West Eighth Street to the south property line of West Nineteenth Street, known and designated as Unit or District No. 10A. Estimated cost of improvements is \$50476.19. Estimated amount per front foot to be assessed for curb and gutter is \$.70 (70¢). Estimated amount per front foot to be assessed against abutting property and its owners for improvements exclusive of curb and gutter is \$4.405. Total estimated amount per front foot to be assessed against abutting property and its owners is \$5.105.

III. That a hearing be given and held by and before the City Council of the City of Austin, Texas, to all owning or claiming any property abutting upon any of said portions of streets and highways, as well as all owning or claiming any interest in any such property. Such hearing shall be given and held on the 25th day of July, 1929, at 10 o'clock A. M. in the regular council meeting room in the City Hall in the City of Austin, Texas, and the City Manager is hereby directed to give notice of the time and place of such hearing, and of other matters and facts, in accordance with the terms and provisions of Article XXIV of the Charter of the City of Austin, which Article was added by amendment adopted at an election held on the 24th day of November, 1928. Such notice shall be by advertisement inserted at least three times in a newspaper published in the City of Austin, Texas, the first publication to be made at least ten days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Article XXIV.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the application of Paul O. Simms Company to erect a super-service station at 800 Lavaca Street; also the following report of the Safety Committee upon same:

"Austin, Texas, July 2, 1929.

To the City Manager and
City Council.
Austin, Texas.

Gentlemen:

We, the Safety Committee of the City of Austin, have investigated the request of B. E. Giesecke and A. W. Harris, represented by the Paul O. Simms Company for a permit to erect a drive-in station on the property known as 800 Lavaca Street at the northwest corner of Lavaca and Eighth Streets. As a committee, we approve the site as being suitable for a drive-in station, but recommend that the Council consider same and, if approved, that the applicants be notified of tentative approval subject to the filing of plans for the station showing the proposed use of sidewalk areas, method of drainage and construction. Tentative approval of this station, however, should be made subject to special notice that the city authorities are aware of the fact that the occupants of this property have been using a great deal of the city street area and that the Safety Committee do not approve this site if the owner does not construct his station in accordance with the rules and regulations usually set forth for filling stations, all points being based upon the true street lines.

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain;

L. A. Palmer, City Plumbing
Inspector.

CITY SAFETY COMMITTEE. "

Councilman Reed moved that the above report of the Safety Committee be approved and adopted and that the site for said station be tentatively approved, subject to the filing of plans and specifications for the same by the applicant and the approval of such plans by the Safety Committee. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The application of Paul O. Simms Company to erect a super-service station at 2100 Guadalupe Street was read and laid over.

Councilman Reed moved that the request of North Millican for permission to construct a sidewalk adjacent to the curb on property owned by him about two blocks west of West Lynn Street be refused, and that he be required to lay same in conformity with the standard lines and grades for sidewalks. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council,

Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4-inch gas main on East 23rd Street, beginning at a point 21 feet south of and 150 feet west of the intersection of the west line of East Avenue and the north line of East 23rd Street.

Thence easterly along a line 21 feet distant from and parallel to the north line of East 23rd Street to a point 21 feet south of and 30 feet west of the intersection of the north line of East 23rd Street and the east line of East Avenue, said

gas main to have a cover of not less than $1\frac{1}{2}$ feet.

(2) A 4 inch gas main on East Avenue, beginning at a point 21 feet south of and 30 feet west of the intersection of the north line of East 23rd Street and the east line of East Avenue;

Thence in a northerly direction along a line 30 feet distant from and parallel to the east line of East Avenue to a point on the west line of East 32nd Street, said gas main to have a cover of not less than 2 feet.

(3) A 4-inch gas main on East 32nd Street, beginning at a point 20 feet south of and 30 feet west of the intersection of the north line of East 32nd Street and the east line of East Avenue;

Thence westerly along a line 20 feet distant from and parallel to the north line of East 32nd Street to a point 400 feet west of the west line of East Avenue, said gas main to have a cover of not less than $2\frac{1}{2}$ feet.

(4) A 2 inch gas main on Lindell Avenue, beginning at a point 175 feet south of and 21 feet west of the intersection of the south line of Bartlett Street and the east line of Lindell Avenue;

Thence in a southerly direction along a line 21 feet distant from and parallel to the east line of Lindell Avenue to the end of said street, said gas main to have a cover of not less than $1\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of its assignments, it shall apply to the City Engineering Department not less than (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none,

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN;

THAT for good and sufficient reasons made known to the City Council, the penalty accrued on the North $54\frac{1}{2} \times 69$ feet of Lot No. 4 and all of Lots Nos. 5, 6, 7, and 8, in Block No. 79, of the City of Austin, and on certain personal property, all in the name of Frances H. Evans Estate, and amounting to \$35.34, be and the same is hereby remitted; and the City Assessor and Collector of Taxes is directed to make such correction on his books.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The City Council authorized City Manager Johnson to buy an easement through the property of the Austin Gas Company near Shoal Creek for the sum of \$150.00, preparatory to the opening of Fifth Street and the building of a bridge across Shoal Creek.

City Manager Johnson submitted to the Council the following communication:

"Austin, Texas, July 5, 1929.

City Council,
Austin, Texas.

Gentlemen:

I have reappointed the following Heads of Departments, which I hope will be agreeable to you:

J. Bouldin Rector - City Attorney
W. H. Bridges - Director of Finance
T. B. Marshall - City Tax Assessor and Collector
Miss Hallie McKellar - City Clerk
John S. Durham - Purchasing Agent
O. E. Metcalfe - City Engineer
R. R. F. Helland - Consulting Engineer for Bond Fund
L. A. Palmer - Sewer Engineer
E. O. Chimene - Assistant Health Officer
Mrs. E. Schulz - Superintendent City Hospital
R. D. Thorp - Chief of Police
J. E. Woody - Fire Chief
Jas. A. Garrison - Superintendent of Recreation
H. K. Humes - City Gas Inspector
E. O. Munro - Office Superintendent
W. E. Seaholm - Electrical Engineer
A. R. Davis - Water Engineer
H. L. Newton - Plant Superintendent
T. O. Green - Filtration Plant Superintendent
Miss Helen Kelleher - Secretary, City Manager.

These reappointments were made on Friday, May 3rd, but I overlooked making my report to you.

Yours truly,

Adam R. Johnson,
City Manager. "

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: 
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 11, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; absent, Councilman Mueller.

The Minutes of the last meeting were read and Councilman Pannell moved the adoption of same. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Pannell, Reed, and Steck, 4; nays, none, Councilman Mueller absent.

Dr. A. L. Aulick and other members of a committee from the University Baptist Church, presented a protest against the proposed erection of a gasoline filling station at 21st and Guadalupe Streets. After fully considering the matter, Mayor McFadden moved that owing to the hazard to pedestrians that would be created